

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TYLER PAUL McBRIDE,

Defendant.

CASE NO. CR07-0075 RSM

PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on July 16, 2007. The United States was represented by Nicholas Brown, and defendant was represented by Jay Stansell. The proceedings were recorded on cassette tape.

CONVICTION AND SENTENCE

Defendant had been convicted in the District of Colorado on a charge of possession of marijuana with intent to distribute. That court imposed a sentence of probation for three years, on or about March 25, 2005.

PRIOR VIOLATIONS, AND REVOCATION OF PROBATION

On October 2, 2006, defendant admitted three violations of probation. The court revoked probation, and sentenced him to three months of imprisonment, followed by three years of supervised release.

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1 PRESENTLY ALLEGED VIOLATIONS AND DEFENDANT'S ADMISSIONS

2 In an application dated March 12, 2007, Senior USPO Christopher S. Luscher alleged that
3 defendant violated the conditions of supervised release in four respects:

- 4 (1) Use of cocaine on or about January 16, 2007;
5 (2) Use of MDA on or about January 16, 2007;
6 (3) Failing to follow the instructions of the probation officer in January and February of
7 2007; and
8 (4) Failing to submit a written monthly report for January, 2007.

9 Jurisdiction of the case was transferred to this district, and it was assigned to the Hon. Ricardo S.
10 Martinez for revocation proceedings.

11 At the hearing on July 16, 2007, the court advised defendant as to the four alleged violations
12 and as to his constitutional rights. He admitted all of violations, waived any hearing as to whether
13 they occurred, and consented to having the matter set for a disposition hearing before Judge Martinez.

14 RECOMMENDED FINDINGS AND CONCLUSIONS

15 Based upon the foregoing, I recommend the court find that defendant has violated the
16 conditions of his supervised release in the four respects alleged, and conduct a disposition hearing.
17 That hearing has been scheduled for August 23, 2007 at 1:00 p.m. Defendant has been ordered
18 detained pending that hearing.

19 DATED this 16th day of July, 2007.

20
21 /s/John L. Weinberg
22 JOHN L. WEINBERG
 United States Magistrate Judge

23 cc: U.S. District Judge : Hon. Ricardo S. Martinez
24 Assistant U.S. Attorney : Nicholas Brown
 Defense Attorney : Jay Stansell
25 U. S. Probation Officer : Brian K. Facklam